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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/938,209	08/23/2001	Lawrence J. Malone	P04979 (NAT115-04979)	1195
7590	07/27/2005		EXAMINER	
Docket Clerk P.O. Drawer 800889 Dallas, TX 75380			ANWAH, OLISA	
			ART UNIT	PAPER NUMBER

2645

DATE MAILED: 07/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/938,209

Applicant(s)

MALONE ET AL.

Examiner

Olisa Anwah

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-26 are rejected under 35 U.S.C § 103(a) as being unpatentable over Barber et al, U.S. Patent Application Publication No. 2002/0106997 (hereinafter Barber) in view of Sheynblat et al, U.S. Patent Application Publication No. 2002/0016189 (hereinafter Sheynblat).

Regarding claim 1, Barber discloses a radio frequency transceiver comprising (paragraph 0003):

a radio frequency (RF) modem section comprising:

receive path circuitry (460) capable of receiving and down-converting an incoming RF signal to thereby produce and incoming baseband signal; and

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transmit path circuitry (460) capable of receiving and up-converting an outgoing baseband signal to thereby produce an outgoing RF signal;

a baseband section (425 and 470) comprising baseband circuitry capable of receiving and processing said incoming baseband signal and capable of generating said outgoing baseband signal; and

a power-saving apparatus (440 and 445) capable of determining that said baseband section is idle and, in response to said determination, placing the RF transceiver in a low power mode by reducing a power supply voltage providing power to said baseband section (see Figure 5).

With further respect to claim 1, Barber doesn't show the claimed first of a plurality of low-power modes. Nonetheless, Sheynblat reveals this limitation (see paragraph 0029). And so, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Barber with the modes disclosed by Sheynblat. This modification would have improved the flexibility of Barber by extending battery life in a radio frequency device as suggested by Barber.

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On the topic of claim 2, Barber teaches the RF transceiver as set forth in claim 1 wherein said power-saving apparatus is further capable of reducing a power supply voltage providing power to said receive path circuitry. Note: Barber fails to indicate the claimed second of the low-power modes. Nonetheless, Sheynblat reveals this limitation (see paragraph 0029). And so, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Barber with the modes disclosed by Sheynblat. This modification would have improved the flexibility of Barber by extending battery life in a radio frequency device as suggested by Barber.

Regarding claim 3, see Figure 4 of Barber.

Regarding claim 4, see Figure 5 of Barber.

Regarding claim 5, see Figure 5 of Barber.

Regarding claim 6, see Figure 5 of Barber.

As per claim 7, Barber teaches the RF transceiver as set forth in claim 6 wherein said power-saving apparatus is further capable of reducing a power supply voltage providing power to said transmit path circuitry. Note: Barber fails to indicate the claimed third of the low-power modes. Nonetheless, Sheynblat reveals this limitation (see paragraph 0029). And so, it would

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have been obvious to one of ordinary skill in the art at the time the invention was made to modify Barber with the modes disclosed by Sheynblat. This modification would have improved the flexibility of Barber by extending battery life in a radio frequency device as suggested by Barber.

Regarding claim 8, see Figure 5 of Barber.

On the matter of claim 9, Barber teaches the RF transceiver as set forth in claim 1 wherein said power-saving apparatus is further capable of reducing a power supply voltage providing power to said transmit path circuitry. Note: Barber fails to indicate the claimed second of the low-power modes. Nonetheless, Sheynblat reveals this limitation (see paragraph 0029). And so, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Barber with the modes disclosed by Sheynblat. This modification would have improved the flexibility of Barber by extending battery life in a radio frequency device as suggested by Barber.

Regarding claim 10, see Figure 5 of Barber.

Regarding claim 11, see Figure 5 of Barber.

Regarding claim 12, see Figure 5 of Barber.

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Claim 13 is rejected for the same reasons as claim 1.

Claim 14 is rejected for the same reasons as claim 2.

Regarding claim 15, see Figure 5 of Barber.

Regarding claim 16, see Figure 5 of Barber.

Regarding claim 17, see Figure 5 of Barber.

Regarding claim 18, see Figure 5 of Barber.

Claim 19 is rejected for the same reasons as claim 7.

Regarding claim 20, see Figure 5 of Barber.

Claim 21 is rejected for the same reasons as claim 9.

Regarding claim 22, see Figure 5 of Barber.

Regarding claim 23, see Figure 5 of Barber.

Regarding claim 24, see Figure 5 of Barber.

Regarding claim 25, Barber discloses a radio frequency (RF) transceiver, comprising:

receive path circuitry capable of receiving and down-converting an incoming RF signal to thereby produce an incoming baseband signal;

transmit path circuitry capable of receiving and up-converting an outgoing baseband signal to thereby produce an outgoing RF signal;

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baseband circuitry capable of receiving and processing the incoming baseband signal and capable of generating the outgoing baseband signal; and

a power-saving apparatus capable of:

reducing power provided to the baseband circuitry in a first low-power mode;

reducing power provided to the baseband circuitry and to one of the transmit path circuitry and the receive path circuitry in a low-power mode; and

reducing power provided to the baseband circuitry, the transmit path circuitry, and the receive path circuitry in a low-power mode (see Figures 4 and 5).

Barber falls short of illustrating the claimed second low-power mode and third low-power mode. Nonetheless, Sheynblat reveals this limitation (see paragraph 0029). And so, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Barber with the modes disclosed by Sheynblat. This modification would have improved the flexibility of Barber by extending battery life in a radio frequency device as suggested by Barber.

Regarding claim 26, see paragraph 0029 of Sheynblat and Figure 5 of Barber.

Response to Arguments

3. Applicant's arguments have been considered but are deemed to be moot in view of the new grounds of rejection.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa Anwah whose telephone number is 571-272-7533. The examiner can normally be reached on Monday to Friday from 8.30 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 571-272-7547. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications and 571-273-8300 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

O.A.
Olisa Anwah
Patent Examiner
July 20, 2005


FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600